

22783 U.S. PTO  
020904

17302 U.S. PTO  
10/774634  
020904

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>	<b>Attorney Docket No.</b>	88138.000005
	<b>First Inventor</b>	Richard W. Lally
	<b>Title</b>	TRANSDUCER IN-SITU TESTING APPARATUS AND METHOD
	<b>Express Mail Label No.</b>	EV 105862858 US

<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents.</small>	<b>ADDRESS TO:</b> Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
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<p>1. <input checked="" type="checkbox"/> <b>Fee Transmittal Form</b> (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i></p> <p>2. <input checked="" type="checkbox"/> <b>Applicant claims small entity status.</b> See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> <b>Specification</b> [Total Pages <input type="text" value="37"/> ] <i>(preferred arrangement set forth below)</i></p> <ul style="list-style-type: none"><li>- Descriptive title of the Invention</li><li>- Cross Reference to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings <i>(if filed)</i></li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of Disclosure</li></ul> <p>4. <input checked="" type="checkbox"/> <b>Drawing(s)</b> (35 USC 113) [Total Sheets <input type="text" value="24"/> ]</p> <p>5. <b>Oath or Declaration</b> [Total Sheets <input type="text" value="1"/> ]</p> <p>a. <input checked="" type="checkbox"/> <b>Newly executed</b> (original or copy)</p> <p>b. <input type="checkbox"/> <b>Copy from a prior application</b> (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i></p> <p>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input checked="" type="checkbox"/> <b>Application Data Sheet.</b> See 37 CFR 1.76</p>	<p>7. <input type="checkbox"/> <b>CD-ROM or CD-R</b> in duplicate, large table or Computer Program <i>(Appendix)</i></p> <p>8. <b>Nucleotide and/or Amino Acid Sequence Submission</b> <i>(If applicable, all necessary)</i></p> <p>a. <input type="checkbox"/> <b>Computer Reader Form (CRF)</b></p> <p>b. <b>Specification Sequence Listing on:</b></p> <p>i. <input type="checkbox"/> <b>CD-ROM or CD-R</b> (2 copies); or</p> <p>ii. <input type="checkbox"/> <b>Paper</b></p> <p>c. <input type="checkbox"/> <b>Statement verifying identity of above copies</b></p>
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<b>ACCOMPANYING APPLICATION PARTS</b>	
9. <input type="checkbox"/> <b>Assignment Papers</b> (cover sheet & document(s))	
10. <input type="checkbox"/> <b>37 CFR 3.73(b) Statement</b> <i>(when there is an assignee)</i>	<input type="checkbox"/> <b>Power of Attorney</b>
11. <input type="checkbox"/> <b>English Translation Document</b> <i>(if applicable)</i>	
12. <input type="checkbox"/> <b>Information Disclosure Statement (IDS)/PTO-1449</b>	<input type="checkbox"/> <b>Copies of IDS Citations</b>
13. <input type="checkbox"/> <b>Preliminary Amendment</b>	
14. <input checked="" type="checkbox"/> <b>Return Receipt Postcard (MPEP 503)</b> <i>(Should be specifically itemized)</i>	
15. <input type="checkbox"/> <b>Certified Copy of Priority Document(s)</b> <i>(if foreign priority is claimed)</i>	
16. <input type="checkbox"/> <b>Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).</b> Applicant must attached form PTO/SB/35 or its equivalent.	
17. <input checked="" type="checkbox"/> <b>Other:</b> <u>Certificate of Express Mailing;</u>	

18. **If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:**

☐ Continuation    ☐ Divisional    ☒ Continuation-in-part (CIP)    of prior application No.: 10/131,673

Prior application information: \_\_\_\_\_ Examiner: \_\_\_\_\_ Art Unit: \_\_\_\_\_

**For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

<b>19. CORRESPONDENCE ADDRESS</b>				
<input checked="" type="checkbox"/> Customer Number: <input type="text" value="23387"/> OR <input type="checkbox"/> Correspondence address below				
<b>Name</b>				
<b>Address</b>				
<b>City</b>		<b>State</b>	<b>Zip Code</b>	
<b>Country</b>		<b>Telephone</b>	<b>Fax</b>	

<b>Name (Print/Type)</b>	Donna P. Suchy	<b>Registration No. (Attorney/Agent)</b>	47,979
<b>Signature</b>	<i>Donna P. Suchy</i>	<b>Date</b>	February 9, 2004

The collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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PTO/SB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$651.00

## Complete if Known

Application Number	
Filing Date	
First Named Inventor	Richard W. Lally
Examiner Name	
Group Art Unit	
Attorney Docket Number	88138.000005

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 03-3875

Deposit Account Name Harter, Secrest & Emery LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	\$385.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					\$385.00

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	40	-20**=	20	x	Fee from below 9	=	Fee Paid \$180.00
Independent Claims	5	-3**=	2	x	43	=	\$86.00
Multiple Dependent							

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$266.00

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt.	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) - 0 -

### SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Donna P. Suchy	Registration No. (Attorney/Agent)	47,979	Telephone	585-232-6500
Signature		Date	February 9, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) and application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, PO Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

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## **Certificate of Express Mailing under 37 CFR 1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL, label #EV 105862858 US in an envelope addressed to:

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On February 9, 2004  
Date



Signature

Paula Weil

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificates of mailing, or this certificate must identify each submitted paper.

### **ENCLOSED ARE:**

Utility Patent Application Transmittal (1 page);  
Fee Transmittal (1 page);  
Check #103250 in the amount of \$651.00 for filing fees (1);  
Specification (37 pages);  
Drawings - Identified (24 sheets);  
Declaration (1 page);  
Application Data Sheet (4 pages);  
Express Mail Label #EV 105862858 US (1);  
Certificate of Express Mailing (1 page);  
Acknowledgement Postcard (1)

Attorney Docket No. 88138.000005